

SENATE BILL REPORT

SB 5756

As of February 16, 2009

Title: An act relating to hazardous substance information.

Brief Description: Concerning hazardous substance information.

Sponsors: Senators Oemig, Swecker, Fairley and Kohl-Welles.

Brief History:

Committee Activity: Environment, Water & Energy: 2/13/09.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Staff: Jan Odano (786-7486)

Background: Currently, the Department of Ecology (Ecology) provides information to individuals calling with concerns about specific chemicals or toxins. Ecology provides a toll free telephone number for individuals should they wish to speak with Ecology staff about a concern. Ecology posts information through its website on issues having broad public concern.

Ecology also provides information through its website on chemicals of concern, which includes mercury, lead, flame retardants, polychlorinated biphenyls, and chlorinated pesticides. The website provides links to federal websites that contains documents with generalized information about chemicals and hazardous substances. In addition, links to U.S. Environmental Protection Agency (EPA) Region 10 information, which provides information with a regional context are provided.

The EPA maintains the Toxic Release Inventory (TRI) database. The TRI provides information to the public about releases of toxic chemicals from manufacturing facilities into the environment through air, water, and land. Ecology manages this data and provides technical and regulatory assistance to businesses, local emergency planning committees, tribes, and the public.

Summary of Bill: No one may knowingly administer a product containing a hazardous material in concentrations high enough to become a hazardous substance without providing specific disclosure prior to the administration of the product.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The disclosure must include the name of the hazardous materials in the product and inform that the hazardous material exceeds the level set for a hazardous substance.

Appropriation:

Fiscal Note: Available.

Committee/Commission/Task Force Created:

Effective Date:

Staff Summary of Public Testimony: Pro: It is a matter of informed choice and extends to beyond what is currently available for consumers.

Con: There are concerns with the impacts to the practice of medicine. Most medicines are regulated by the FDA, which includes testing, warnings and informed consent. This state is not the appropriate regulatory entity. It is not clear as to the impacts to the agriculture sector since pesticides are used to produce and protect foods. In addition, the EPA highly regulates pesticides.

Other: Because of the scope of products that may be covered under this bill, it includes stakeholders that are beyond Ecology's scope of business.

Persons Testifying: Pro: Ruth W. Shearer, Toxicologist

Other: K Seiler, Ecology,

Con: Kate White Tudor, WA Assn. Community Immigrant Health Centers, Susie Tracy, Oral Surgeons/WA State Medical Assn., Heather Hansen, WA Friends of Farms & Forests